UNOFFICIAL VERSION

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THURSDAY, JANUARY 12, 2017

THIRD ORGANIZATIONAL DAY

CALL TO ORDER

The Senate met at 9:00 a.m., and was called to order by Mr. Speaker McNally.

MR. SPEAKER MCNALLY RELINQUISHES CHAIR

Mr. Speaker McNally relinquished the Chair to Senator Watson as Speaker pro tempore.

PRAYER

The proceedings were opened with prayer by Senator Bailey.

PLEDGE OF ALLEGIANCE

Senator Bailey led the Senate in the Pledge of Allegiance to the Flag.

SALUTE TO THE FLAG OF TENNESSEE

Senator Bailey led the Senate in the Salute to the Flag of Tennessee.

SPEAKER RESUMES CHAIR

Mr. Speaker McNally resumed the Chair.

ROLL CALL

The roll call was taken with the following results:

Present 32

Senators present were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbro and Mr. Speaker McNally--32.

COMMUNICATION

January 11, 2017

Lt. Gov. Randy McNally 1 LP Nashville, TN 37243

RE: Thursday, January 12, 2017

Dear Lt. Gov. McNally:

I will be out of the office and not able to attend Session on Thursday, January 12, 2017.

Please approve my not being present that day and feel free to call me if you have any questions.

Sincerely,

/s/ Mark E. Green, M.D. State Senator

APPROVED: Lieutenant Governor Randy McNally

MOTION

Senator Norris moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **Senate Bills Nos. 18 through 30** be passed on first consideration, which motion prevailed.

INTRODUCTION OF BILLS

The Speaker announced the following bills were filed for introduction and passed first consideration:

Senate Bill No. 18 by Senator Harris.

Real Property -- As introduced, exempts a property owner, lessee, or anyone acting under the direction of an owner or lessee, from criminal trespass, if the property is adjacent to the owner or lessee and the owner or lessee enters the city- or county-owned property to remove debris or improve the city- or county-owned property. Amends TCA Title 5, Chapter 1, Part 1; Title 6, Chapter 54, Part 1 and Title 39, Chapter 14, Part 4.

Senate Bill No. 19 by Senator Harris.

Funeral Directors and Embalmers -- As introduced, prohibits the disposition or removal of human remains unless authorized by a person legally entitled to control such disposition or removal, with certain exceptions. Amends TCA Title 38, Chapter 7; Title 62, Chapter 5 and Title 68.

Senate Bill No. 20 by Senator Lundberg.

Aircraft and Airports -- As introduced, confers certain powers on regional airport authorities to borrow money for corporate purposes and issue revenue bonds. Amends TCA Title 9; Title 42, Chapter 4 and Title 42, Chapter 3.

Senate Bill No. 21 by Senator Green.

Taxes, Real Property -- As introduced, reestablishes the first portion of home value for which real property tax relief will be reimbursed to disabled veteran home owners from \$100,000 to \$175,000. Amends TCA Title 67, Chapter 5, Part 7.

Senate Bill No. 22 by Senator Green.

Telecommunications -- As introduced, enacts the "Tennessee Rural Broadband Grant Expansion Program." Amends TCA Title 4; Title 6; Title 7; Title 10; Title 65 and Title 67.

Senate Bill No. 23 by Senator Green.

Taxes, Exemption and Credits -- As introduced, changes the home value for which real property tax relief will be granted from \$100,000 to \$175,000 for veterans with disabilities and from \$23,500 to

\$25,000 for low-income homeowners who are elderly or have disabilities. Amends TCA Title 67, Chapter 5, Part 7.

Senate Bill No. 24 by Senator Green.

Handgun Permits -- As introduced, exempts active-duty military service members and veterans who have specialties as military police, special operations, or special forces from handgun carry permit firing range requirements. Amends TCA Title 39, Chapter 17, Part 13.

Senate Bill No. 25 by Senator Green.

Taxes, Ad Valorem -- As introduced, reestablishes, from \$100,000 to \$175,000, the first portion of home value for which real property tax relief will be reimbursed to veterans with disabilities. Amends TCA Title 67, Chapter 5, Part 7.

Senate Bill No. 26 by Senator Stevens.

Banks and Financial Institutions -- As introduced, requires the commissioner of financial institutions to issue a report on title pledges to the governor and general assembly annually rather than biennially. Amends TCA Title 45.

Senate Bill No. 27 by Senators Stevens and Yager.

Criminal Procedure -- As introduced, removes the intermediate appeal to the court of criminal appeals in death penalty cases; provides for automatic direct review by the Tennessee supreme court for convictions for which a sentence of death is imposed. Amends TCA Title 39, Chapter 13, Part 2 and Title 40, Chapter 35.

Senate Bill No. 28 by Senator Stevens.

Remedies and Special Proceedings -- As introduced, authorizes a court to award punitive damages, attorney's fees, court costs, and incurred legal expenses to a creditor who prevails in an action against a debtor for the fraudulent transfer of assets or property to avoid an obligation. Amends TCA Title 66, Chapter 3, Part 3.

Senate Bill No. 29 by Senator Stevens.

Tobacco Master Settlement Agreement -- As introduced, rescinds the requirement that the commissioner of revenue disclose information related to enforcement of the Tennessee Tobacco Manufacturers' Escrow Fund Act of 1999 to the attorney general; removes authorization for the commissioner of revenue and the attorney general to disclose this information under certain circumstances. Amends TCA Title 4; Title 39; Title 43; Title 47; Title 49; Title 62; Title 63; Title 67 and Title 68.

Senate Bill No. 30 by Senator Bowling.

Statutes and Codification -- As introduced, requires that the words "husband," "wife," "mother," and "father" be given their natural and ordinary meaning, without forced or subtle construction that would limit or extend the meaning of the language and that are based on the biological distinctions between men and women, except when a contrary intention is clearly manifest. Amends TCA Title 1, Chapter 3.

MOTION

Senator Norris moved, pursuant to Rule 33 and Article II, Section 18 of the Constitution of the State of Tennessee, that **Senate Bills Nos. 16 and 17** be passed on second consideration and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

SENATE BILLS ON SECOND CONSIDERATION

The Speaker announced that **Senate Bills Nos. 16 and 17** passed second consideration and were held on the Clerk's desk pending the appointment of the appropriate committees.

MOTION

Senator Norris moved, pursuant to Rule 21, **Senate Joint Resolution No. 10** be passed on first consideration and lie over, which motion prevailed.

INTRODUCTION OF RESOLUTIONS

The Speaker announced the following resolution was filed for introduction. Pursuant to Rule 21, the resolution lies over.

Senate Joint Resolution No. 10 by Senator Green.

Memorials, Recognition -- The LEAP organization, Clarksville-Montgomery County Growth & Impact Award Winner.

MOTION

Senator Norris moved, pursuant to Rule 21, House Joint Resolutions Nos. 1 through 23; Senate Joint Resolutions Nos. 8 and 9; and Senate Resolutions Nos. 1 through 6 lie over and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

RESOLUTIONS LYING OVER

The Speaker announced the following resolutions passed second consideration and were referred to the appropriate committees or held on the desk, pursuant to Rule 21:

House Joint Resolution No. 1 -- Memorials, Sports -- Shelley Kirk Lloyd, Columbia Academy Athletic Hall of Fame.

The Speaker announced that he had referred House Joint Resolution No. 1 to the Committee on Calendar.

House Joint Resolution No. 2 -- Memorials, Sports -- Neal Jackson, Columbia Academy Athletic Hall of Fame.

The Speaker announced that he had referred House Joint Resolution No. 2 to the Committee on Calendar.

House Joint Resolution No. 3 -- Memorials, Personal Achievement -- Nicholas Ray Moon, Eagle Scout.

The Speaker announced that he had referred House Joint Resolution No. 3 to the Committee on Calendar.

House Joint Resolution No. 4 -- Memorials, Personal Achievement -- Dawson Hammons, Eagle Scout.

The Speaker announced that he had referred House Joint Resolution No. 4 to the Committee on Calendar.

House Joint Resolution No. 5 -- Memorials, Personal Achievement -- Steven Connor Parks, Eagle Scout.

The Speaker announced that he had referred House Joint Resolution No. 5 to the Committee on Calendar.

House Joint Resolution No. 6 -- Memorials, Personal Achievement -- Timothy Holman, Eagle Scout.

The Speaker announced that he had referred House Joint Resolution No. 6 to the Committee on Calendar.

House Joint Resolution No. 7 -- Memorials, Personal Achievement -- John-Allen Stone, Eagle Scout.

The Speaker announced that he had referred House Joint Resolution No. 7 to the Committee on Calendar.

House Joint Resolution No. 8 -- Memorials, Personal Achievement -- Jesse Dakota Penrod, Eagle Scout.

The Speaker announced that he had referred House Joint Resolution No. 8 to the Committee on Calendar.

House Joint Resolution No. 9 -- Memorials, Personal Achievement -- James Eddie Pratt, Eagle Scout.

The Speaker announced that he had referred House Joint Resolution No. 9 to the Committee on Calendar.

House Joint Resolution No. 10 -- Memorials, Personal Achievement -- Jacob Tolman, Eagle Scout.

The Speaker announced that he had referred House Joint Resolution No. 10 to the Committee on Calendar.

House Joint Resolution No. 11 -- Memorials, Personal Achievement -- Dalten William Hopson, Eagle Scout.

The Speaker announced that he had referred House Joint Resolution No. 11 to the Committee on Calendar.

House Joint Resolution No. 12 -- Memorials, Personal Achievement -- Billy Lee Clanton, Eagle Scout.

The Speaker announced that he had referred House Joint Resolution No. 12 to the Committee on Calendar.

House Joint Resolution No. 13 -- Memorials, Personal Achievement -- Benjamin Isaiah Trammell, Eagle Scout.

The Speaker announced that he had referred House Joint Resolution No. 13 to the Committee on Calendar.

House Joint Resolution No. 14 -- Memorials, Personal Achievement -- Alex Dial, Eagle Scout.

The Speaker announced that he had referred House Joint Resolution No. 14 to the Committee on Calendar.

House Joint Resolution No. 15 -- Memorials, Personal Achievement -- Timothy J. Baggett, Eagle Scout.

The Speaker announced that he had referred House Joint Resolution No. 15 to the Committee on Calendar.

House Joint Resolution No. 16 -- Memorials, Personal Achievement -- Joseph Lee Jacobs, Eagle Scout.

The Speaker announced that he had referred House Joint Resolution No. 16 to the Committee on Calendar.

House Joint Resolution No. 17 -- Memorials, Personal Achievement -- MacKenzie Plunkett, Eagle Scout.

The Speaker announced that he had referred House Joint Resolution No. 17 to the Committee on Calendar.

House Joint Resolution No. 18 -- Memorials, Personal Achievement -- Mikael Raymond Weber, Eagle Scout.

The Speaker announced that he had referred House Joint Resolution No. 18 to the Committee on Calendar.

House Joint Resolution No. 19 -- Memorials, Personal Achievement -- George Michael Huttick, Venturing Summit Award.

The Speaker announced that he had referred House Joint Resolution No. 19 to the Committee on Calendar.

House Joint Resolution No. 20 -- Memorials, Professional Achievement -- Dr. David Stephens, 2017 Superintendent of the Year.

The Speaker announced that he had referred House Joint Resolution No. 20 to the Committee on Calendar.

House Joint Resolution No. 21 -- Memorials, Sports -- Whitehaven High School, TSSAA Class 6A State Football Champions.

The Speaker announced that he had referred House Joint Resolution No. 21 to the Committee on Calendar.

House Joint Resolution No. 22 -- Memorials, Death -- Michael E. Anderson.

The Speaker announced that he had referred House Joint Resolution No. 22 to the Committee on Calendar.

House Joint Resolution No. 23 -- Memorials, Recognition -- Expresses appreciation and thanks to entities and persons providing assistance during the Smoky Mountain wildfires.

The Speaker announced that he had referred House Joint Resolution No. 23 to the Committee on Calendar.

The Speaker announced that **Senate Joint Resolutions Nos. 8 and 9**; and **Senate Resolutions Nos. 1 through 6** passed second consideration and were held on the Clerk's desk pending the appointment of the appropriate committees.

MOTION

Senator Massey moved that Rule 19 and Rule 38 be suspended for the purpose of making and considering the Consent Calendar consisting of the following resolutions: **House Joint Resolutions Nos.** 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22 and 23, which motion prevailed.

MOTION

Senator Overbey requested the Clerk to read **House Joint Resolution No. 23**, which motion prevailed.

The Clerk read the resolution.

CONSENT CALENDAR

House Joint Resolution No. 1 -- Memorials, Sports -- Shelley Kirk Lloyd, Columbia Academy Athletic Hall of Fame.

House Joint Resolution No. 2 -- Memorials, Sports -- Neal Jackson, Columbia Academy Athletic Hall of Fame.

House Joint Resolution No. 3 -- Memorials, Personal Achievement -- Nicholas Ray Moon, Eagle Scout.

House Joint Resolution No. 4 -- Memorials, Personal Achievement -- Dawson Hammons, Eagle Scout.

House Joint Resolution No. 5 -- Memorials, Personal Achievement -- Steven Connor Parks, Eagle Scout.

- **House Joint Resolution No. 6** -- Memorials, Personal Achievement -- Timothy Holman, Eagle Scout.
- **House Joint Resolution No. 7** -- Memorials, Personal Achievement -- John-Allen Stone, Eagle Scout.
- **House Joint Resolution No. 8** -- Memorials, Personal Achievement -- Jesse Dakota Penrod, Eagle Scout.
- **House Joint Resolution No. 9** -- Memorials, Personal Achievement -- James Eddie Pratt, Eagle Scout.
- **House Joint Resolution No. 10** -- Memorials, Personal Achievement -- Jacob Tolman, Eagle Scout.
- **House Joint Resolution No. 11** -- Memorials, Personal Achievement -- Dalten William Hopson, Eagle Scout.
- **House Joint Resolution No. 12** -- Memorials, Personal Achievement -- Billy Lee Clanton, Eagle Scout.
- **House Joint Resolution No. 13** -- Memorials, Personal Achievement -- Benjamin Isaiah Trammell, Eagle Scout.
- **House Joint Resolution No. 14** -- Memorials, Personal Achievement -- Alex Dial, Eagle Scout.
- **House Joint Resolution No. 15** -- Memorials, Personal Achievement -- Timothy J. Baggett, Eagle Scout.
- **House Joint Resolution No. 16** -- Memorials, Personal Achievement -- Joseph Lee Jacobs, Eagle Scout.
- **House Joint Resolution No. 17** -- Memorials, Personal Achievement -- MacKenzie Plunkett, Eagle Scout.
- **House Joint Resolution No. 18** -- Memorials, Personal Achievement -- Mikael Raymond Weber, Eagle Scout.
- **House Joint Resolution No. 19** -- Memorials, Personal Achievement -- George Michael Huttick, Venturing Summit Award.
- **House Joint Resolution No. 20** -- Memorials, Professional Achievement -- Dr. David Stephens, 2017 Superintendent of the Year.
- **House Joint Resolution No. 21** -- Memorials, Sports -- Whitehaven High School, TSSAA Class 6A State Football Champions.
 - House Joint Resolution No. 22 -- Memorials, Death -- Michael E. Anderson.

House Joint Resolution No. 23 -- Memorials, Recognition -- Expresses appreciation and thanks to entities and persons providing assistance during the Smoky Mountain wildfires.

Senator Massey moved that all House Joint Resolutions be concurred in, which motion prevailed by the following vote:

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbro and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

MOTION

Senator Norris moved the Proposed Schedule for the week of January 30, 2017, be adopted and made the action of the Senate, which motion prevailed.

TENNESSEE STATE SENATE 110th GENERAL ASSEMBLY

SCHEDULE WEEK OF JANUARY 30, 2017

MONDAY, JANUARY 30, 2017

2:30 p.m.	Energy, Agriculture & Natural Resources Committee
3:30 p.m.	Transportation & Safety Committee

5:00 p.m. SESSION – SENATE CHAMBER

5:45 p.m. JOINT CONVENTION – GOVERNOR'S BUDGET ADDRESS (HOUSE CHAMBER)

SESSION - SENATE CHAMBER

TUESDAY, JANUARY 31, 2017

8:30 a.m.	Finance, Ways & Means Committee
10:30 a.m.	State & Local Government Committee
12:30 p.m.	Lunch
1:30 p.m.	Commerce & Labor Committee
3:30 p.m.	Judiciary Committee

WEDNESDAY, FEBRUARY 1, 2017

8:00 a m

0.00 d.m.	OLOGION - OLNATE OTAMBEN
9:00 a.m.	Government Operations Committee
10:00 a.m.	Health & Welfare Committee
12:00 noon	Lunch
1:00 p.m.	Education Committee

THURSDAY, FEBRUARY 2, 2017

9:00 a.m.

SESSION – SENATE CHAMBER

MOTION

On motion of Senator Hensley, his name was added as sponsor of **House Joint Resolutions Nos.** 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19.

On motion of Senator Norris, his name was added as sponsor of **House Joint Resolution No. 20**.

On motion of Senators Harper, Harris and Kelsey, their names were added as sponsors of **House Joint Resolution No. 21**.

On motion of Senator Harper, her name was added as sponsor of **House Joint Resolution No. 22**.

On motion of Senators Overbey, Southerland, Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Roberts, Stevens, Tate, Tracy, Watson, Yager, Yarbro and Mr. Speaker McNally, their names were added as sponsors of **House Joint Resolution No. 23**.

ADJOURNMENT

Senator Norris moved that pursuant to **Senate Joint Resolution No. 11**, the Organizational Session of the One Hundred Tenth General Assembly stand adjourned sine die, which motion prevailed.